

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Hale, Michelle[hale.michelle@epa.gov]
From: Fugh, Justina
Sent: Tue 5/2/2017 11:41:42 PM
Subject: RE: Administrator's office

Hi Ryan,

Sorry for the delay in responding to this question. I've been thinking about it, and think that the ethics answer is not the final answer.

The Gilcrease Museum, which is not a federally registered lobbyist, has offered to loan art to the Administrator because of his official position. Because EPA as an agency lacks gift acceptance authority, I have to consider the loan under the gift rules set forth in the Standards of Ethical Conduct for Employees of the Executive Branch. Unfortunately, even the loan of artwork will be considered a "gift" given to the Administrator because of the definition of "gift" at 5 CFR 2635.203(b). Because the value of the loaned art will exceed \$20, the Administrator can't accept it *under the gift rules*, and EPA can't accept the loan on his behalf.

I think we should consult with the Agency's finance lawyers to see if they can craft some sort of other formal arrangement, museum to agency, instead. I'll refer your question to Elise Packard, the Acting Principal General Counsel, for her insights.

Justina

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From: Jackson, Ryan
Sent: Monday, May 01, 2017 10:55 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Hale, Michelle <hale.michelle@epa.gov>
Subject: Administrator's office

The Gilcrease Museum in Tulsa Oklahoma has volunteered to loan Administrator Pruitt art for his office décor.

I wanted to get with you on the rules for that. It's a non-profit, of course, public art gallery in Tulsa.

Thanks.

Ryan Jackson

Chief of Staff

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